

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND  
(Greenbelt Division)**

<b>In re:</b>	)	
	)	
<b>WILLIAM CHARLES BEVAN</b>	)	<b>Case No. 22-12609</b>
	)	<b>(Chapter 7)</b>
	)	
	)	

**JOHN BURNS AND THE BURNS LAWS FIRM, LLC’s OPPOSITION TO CHAPTER 7  
TRUSTEE’S MOTION FOR AUTHORITY TO MAKE AN INTERIM DISTRIBUTION**

John Burns and The Burns Law Firm, LLC (collectively, “Mr. Burns”) through undersigned counsel, Timothy Carey, Esquire, and WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER, LLP, hereby file this Opposition to the Chapter 7 Trustee’s Motion to Make an Interim Distribution [ECF # 626].<sup>1</sup>

1. In her Motion, the Chapter 7 Trustee states that bankruptcy estate’s account currently holds \$455,060.98.

2. In addition to the pending claims of Mr. Burns (\$144,131.59) and Adam Ross Levin (\$40,599.98), there are currently \$55,832.16 in unsecured claims and the Trustee estimates attorneys fees and costs and the Trustee’s statutory commission will be “no more than \$200,000” by the close of this case.

3. The Trustee also represents that \$10,000 will be reserved for retention of an accountant.

4. Based on this recitation of the remaining claims, Mr. Burns would generally agree and be unopposed to the requested relief. However, because this case is not yet resolved – and is

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<sup>1</sup> As set forth in Mr. Burns’ Motion for Extension of Time to Respond to the instant Motion [ECF# 630], Mr. Burns sought clarification from the Trustee regarding the factual issues presented herein in the hope that no further filings would be necessary. The Trustee did not respond, necessitating the filing of this Opposition.

not expected to be for some months – Mr. Burns is concerned that the Trustees’ statutory commission and incurred attorneys fees and costs could increase substantially.

5. It is the Chapter 7 Trustee’s duty following the full administration of a Chapter 7 case is to file a proposed final report and a fee application for the Trustee’s professionals. Ordinarily, the Trustee’s commission and fees would be entitled to first priority, followed by post-conversion IRS taxes and the like, then pre-conversion administrative expenses and taxes, and finally of course the unsecured claims paid pro rata.

6. The Chapter 7 Trustee’s Motion proposes to change that standard, and places Mr. Burns at risk of being behind unsecured creditors in priority and thus having his claim impaired in the event the Chapter 7 Trustees’ assessment of the remaining fees and costs to the Estate are inaccurate. Additionally, there is always the risk of unexpected or unanticipated post-conversion taxes or other claims that are unknown at this stage that could further limit the remaining funds in the estate.

7. While this may end up being purely an academic dispute considering the Chapter 7 Trustees’ recitation of the anticipated total figures to be paid, Mr. Burns seeks either denial of the motion or tailoring of an order granting the requested relief such that there is no “cut” that pre-conversion administrative expense would need to incur because of any prospective senior administrative expenses or costs which may be incurred by the Chapter 7 Trustee or otherwise moving forward.

8. Mr. Burns is otherwise not opposed to the requested relief, provided that if the Motion is granted that it include the limitation that any senior proposed fees which may be charged by the Trustee or any other costs incurred be subordinated to the pre-conversion administrative expenses of Mr. Burns.

WHEREFORE, Mr. Burns respectfully requests that this Bankruptcy Court enter an Order DENYING the Motion to Make an Interim Distribution, or in the alternative granting the motion with the limitation that any future commission, attorneys fees, or other costs incurred by the Chapter 7 Trustee not impair the pending claim of Mr. Burns.

Respectfully submitted,

**WILSON, ELSER, MOSKOWITZ,  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 27<sup>th</sup> day of January 2026, I served the foregoing Opposition electronically, via CM/ECF upon:

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